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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:23-mj-00177-VCF

**Plaintiff,**

V.

FILIBERTO GONZALEZ-ACUNA

## **Stipulation for an Order Directing Probation to Prepare a Criminal History Report**

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Clegg, United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for the United States of America, Rene L. Valladares, Federal Public Defender, and Rick Mula, Assistant Federal Public Defender, counsel for defendant FILIBERTO GONZALEZ-ACUNA, that the Court direct the U.S. Probation Office to prepare a report detailing the defendant's criminal history.

This stipulation is entered into for the following reasons:

1. The United States Attorney's Office has developed an early disposition program for immigration cases, authorized by the Attorney General pursuant to the

PROTECT ACT of 2003, Pub. L. 108-21. Pursuant to this program, the government has extended to the defendant a plea offer in which the parties would agree to jointly request an expedited sentencing immediately after the defendant enters a guilty plea.

2. The U.S. Probation Office cannot begin obtaining the defendant's criminal history until after the defendant enters his guilty plea unless the Court enters an order directing the U.S. Probation Office to do so. Such an order is often entered in the minutes of a defendant's initial appearance when charged by indictment.

3. The U.S. Probation Office informs the government that it would like to begin obtaining the criminal history of defendants eligible for the early disposition program as soon as possible after their initial appearance so that the Probation Office can complete the Presentence Investigation Report by the time of the expected expedited sentencing.

4. Accordingly, the parties request that the Court enter an order directing the U.S. Probation Office to prepare a report detailing the defendant's criminal history.

DATED this 23rd day of March, 2023.

Respectfully Submitted,

RENE L. VALLADARES  
Federal Public Defender

JASON M. FRIERSON  
United States Attorney

/s/ Rick Mula

/s/ Kimberly M. Frayn  
KIMBERLY M. FRAYN  
Assistant United States Attorney

1                   **UNITED STATES DISTRICT COURT**  
2                   **DISTRICT OF NEVADA**

3                   UNITED STATES OF AMERICA,

4                   Plaintiff,

5                   v.

6                   FILIBERTO GONZALEZ-ACUNA,

7                   Defendant.

8                   Case No. 2:23-mj-00177-VCF

9                   **Order Directing Probation to**  
10                  **Prepare a Criminal History Report**  
11                  ~~[Proposed]~~

12                  Based on the stipulation of counsel, good cause appearing, and the best interest of  
13                  justice being served:

14                  IT IS HEREBY ORDERED that the U.S. Probation Office is directed to prepare a  
15                  report detailing the defendant's criminal history.

16                  DATED this 28th day of March, 2023.

17                    
18                  HONORABLE CAM FERENBACH  
19                  UNITED STATES MAGISTRATE JUDGE